HOUSE COMMITTEE ON THE BUDGET
Majority Caucus • Jim Nussle, Chairman

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Summarizing budgetary issues in legislation scheduled for the House floor

15 October 2002

Week of 14 October 2002

## **SUSPENSION CALENDAR**

- 1) To Apply Guidelines for the Determination of Per-pupil Expenditure Requirements for Heavily Impacted Local Educational Agencies, and for Other Purposes (H.R.5599). The bill clarifies certain eligibility criteria used to determine which school districts are designated "heavily impacted" under the Impact Aid program, and deems the Bonesteel-Fairfax, SD school district to be heavily impacted for fiscal year 2003 funding determinations. The bill also directs the Secretary of Education to treat as timely filed the fiscal year 2003 application for Impact Aid funding of Central School District, Sequoyah County, OK. The bill does not increase direct spending spending not subject to appropriations or reduce revenue.
- 2) Persian Gulf War POW/MIA Accountability Act of 2002 (S. 1339).

  This bill directs the Attorney General to grant refugee status in the United
  States to any alien national of Iraq or other middle eastern nation who personally delivers, into the custody of the United States, a living American designated as a prisoner of war [POW] or missing in action [MIA] in the Persian Gulf War. It excludes alien terrorists, persecutors, anyone who has been convicted of a serious criminal offense, or anyone who presents a danger to the security of the United States. The Congressional Budget Office [CBO] estimates that enactment of this bill would cost about \$20,000 annually subject to the availability of appropriated funds. Enacting the bill could increase the administrative costs for the Immigration and Naturalization Service [INS] and the costs of certain Federal entitlement programs, which would have direct spending implications; but CBO estimates costs to be less than \$100,000 in any year. The Judiciary Committee's allocation does not accommodate any additional spending. Hence, even though the amount is small, this bill would cause a breach of that allocation and would be subject to points of order under the Congressional Budget Act.
- 3) **Sober Borders Act** (H.R. 2155). This bill would make it a criminal act



for any person to operate a motor vehicle at land border ports of entry under the influence of a drug or alcohol in violation of applicable State law. The bill would authorize an INS officer who inspects a driver at a port of entry and reasonably believes the driver may be operating a motor vehicle in violation of State laws to require the driver to submit to a breath test. At the time of publication, a cost estimate was not available. H.R. 2155 could cause an increase in the collection of criminal fines (a form of receipts). The bill is not expected to violate the Congressional Budget Act.

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PLEASE NOTE: This document addresses budgetary issues only. It should not be taken to express support or opposition on any other grounds. A green flag indicates no serious budgetary or budget compliance concerns. A yellow flag indicates moderate or potential problems. A red flag indicates serious problems. Note: Floor schedules and legislative details are subject to change after publication.

This document was prepared by the majority staff of the House Committee on the Budget. It has not been approved by the full committee and may not reflect the views of all the committee's members.

4) **Border Commuter Student Act of 2002** (H.R. 4967). This bill establishes a new category for nonimmigrant alien



students from Canada or Mexico who commute to study in the United States. At the time of publication, a cost estimate was not available. It is expected, however, that implementing H.R. 4967 could cause a negligible increase in direct spending. The Judiciary Committee's allocation does not accommodate any additional spending. Hence, even though the amount is small, this bill would cause a breach of that allocation and would be subject to points of order under the Congressional Budget Act.

5) **To Improve the National Instant Criminal Background Check System** (H.R. 4757). This bill requires the Attorney General to obtain directly, from any U.S. department or agency, information on persons who are prohibited under Federal or State law provisions from receiving a firearm. The bill requires the Attorney General to make grants to States to establish or upgrade information and identification technologies for firearms eligibility determinations. H.R. 4757 would cost \$957 million over the 2003-2007 period, subject to availability of appropriations. This legislation would not affect direct spending or revenue.

6) To Amend Title 10, United States Code, to Provide for the Enforcement and Effectiveness of Civilian Orders of Protection on Military Installations (H.R. 5590).



This bill gives a civilian order of protection the same force and effect on a military installation as such order has elsewhere in the jurisdiction of the court that issued it. The Secretary of Defense is responsible for prescribing regulations to carry out this change. At the time of publication, a cost estimate was not available. It is expected, however, that any spending associated with the implementation of this bill will be minimal and subject to appropriations. The bill is not expected to violate the Congressional Budget Act.

## **LEGISLATION CONSIDERED UNDER A RULE**

Bill: Making Further Continuing Appropriations for Fiscal Year 2003

**Committee:** Appropriations

**Summary:** The text of this measure was not available at the time of preparation of this *Budget Week*.

Were it to be substantially similar to the continuing resolution currently in force, it would allow Government agencies to continue to operate at fiscal year 2002 levels until the date of expiration. That date has not been determined. It is expected that the bill will not violate the levels provided for discretionary spending in the House-passed budget resolution on

an annualized basis.

In the CR passed last week, one-time spending items, largely passed in response to the events of September 11, were not carried over to fiscal year 2003. Assuming this practice continues in the next CR, it likely would not cause a violation of the Congressional Budget

Act.

**Cost:** Were this continuing appropriations measure to last an entire year, preliminary analysis

shows that it would allow a spending level of \$741.9 billion for fiscal year 2003.

**Budget Act:** Because the spending level provided for by this measure on an annualized basis would

be below \$749 billion for fiscal year 2003, the amount provided for in the House-passed budget resolution, it would not cause a violation of the Congressional Budget Act. This would depend, however, on the passage of the continuing resolution without additional

extraneous measures that increase its cost.

Prepared by . . . . . . . . . . The House Committee on the Budget

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